

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

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IN RE MICROSOFT CORP.  
ANTITRUST LITIGATION.

MDL Docket No. 1332

Hon. J. Frederick Motz

This Document relates to:

*Burst.com, Inc. v.  
Microsoft Corp.,*

Civil Action No JFM-02-cv-2952

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**BURST'S MOTION FOR LEAVE TO FILE A  
FIRST AMENDED AND SUPPLEMENTAL COMPLAINT**

Plaintiff Burst.com, Inc. ("Burst"), pursuant to Fed.R.Civ.Proc. 15(a), requests that the Court grant Burst leave to file the attached First Amended and Supplemental Complaint. Burst bases this motion on the matters discussed in its Memorandum in Support of its Motion for Leave to File First Amended and Supplemental Complaint. Filed herewith.

DATED: September 10, 2004

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By \_\_\_\_\_/s/  
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**PROOF OF SERVICE**

I am employed in the State of California, County of San Francisco. I am over 18 years of age and am not party to the within action. My business address is One Market, Spear Tower, Suite 2200, San Francisco, California 94105.

On September 10, 2004, I served BURST'S MOTION FOR LEAVE TO FILE A FIRST AMENDED AND SUPPLEMENTAL COMPLAINT upon counsel named below as indicated:

John W. Treece (*via facsimile*)  
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Executed this 10<sup>th</sup> day of September, 2004.

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/s/  
Janine DeAndre